

MESSAGE NO: 5052112 MESSAGE DATE: 02/21/1995

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-583-009

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/1987 TO 03/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTION ON TELEVISION RECEIVERS, EXCEPT FOR VIDEO MONITORS, FROM TAIWAN (A-583-009) FOR PHILIPS ELECTRONICS INDUSTRIES (TAIWAN), LTD

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CASES: A - 583 - 009

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PERIOD COVERED: 04 01 1987 TO 03 31 1990

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: LIQUIDATION INSTRUCTION ON TELEVISION RECEIVERS, EXCEPT FOR VIDEO MONITORS, FROM TAIWAN (A-583-009) FOR PHILIPS ELECTRONICS INDUSTRIES (TAIWAN), LTD

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER, NOTICES OF ITS FINAL RESULTS OF THE ANTIDUMPING DUTY ADMINISTRATIVE REVIEWS ON COLOR TELEVISION RECEIVERS EXCEPT FOR VIDEO MONITORS, FROM TAIWAN, ON DECEMBER 16, 1991 COVERING THE PERIODS APRIL 1, 1987 THROUGH MARCH 31, 1988 AND APRIL 1, 1989 THROUGH MARCH 31, 1990, AND ON JULY 10, 1991 COVERING THE PERIOD APRIL 1, 1988 THROUGH MARCH 31, 1989.

2. THIS MERCHANDISE WAS CLASSIFIED UNDER TSUSA ITEM NUMBERS 684.9246, 684.9248, 684.9250, 684.9252, 684.9253, 684.9255, 684.9256, 684.9258, 684.9262, 684.9263, 684.9270, 684.9275, 684.9655, 684.9656, 684.9658, 684.9660, 684.9663, 684.9864, 684.9866, 687.3512, 687.3513, 687.3514, 687.3516, 687.3518, AND 687.3520 AND IS CURRENTLY CLASSIFIABLE UNDER HTS ITEM NUMBERS 8528.10.80, 8529.90.15, AND 8540.11.00
3. THE COURT OF INTERNATIONAL TRADE HAS VACATED THE INJUNCTION AGAINST LIQUIDATION OF ENTRIES OF COLOR TELEVISION RECEIVERS FROM TAIWAN WITH RESPECT TO PHILIPS ELECTRONIC INDUSTRIES, LTD.(TAIWAN), LTD. FOR THE ABOVE PERIODS.
4. ACCORDINGLY FOR ALL SHIPMENTS OF TAIWAN COLOR TELEVISION RECEIVERS, EXPORTED BY PHILIPS ELECTRONIC INDUSTRIES (TAIWAN), LTD., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE ABOVE PERIODS ASSESS DUMPING LIABILITIES EQUAL TO THE INDICATED PERCENTAGE OF ENTERED CUSTOMS VALUE AS FOLLOWS:

PHILIPS ELECTRONIC INDUSTRIES (TAIWAN) LTD.

PERIOD	PERCENT
APRIL 1, 1987 - MARCH 31, 1988	6.65
APRIL 1, 1988 - MARCH 31, 1989	10.82
APRIL 1, 1989 - MARCH 31, 1990	10.82

5. THE ASSESSMENT OF DUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT INTEREST TO BE PAID ON OVERPAYMENTS AND UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF

PUBLICATION OF THE ANTIUDMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION, USING THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES.
7. YOU MAY RELEASE APPRAISEMENT VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.
8. EFFECTIVE UPON RECEIPT OF THIS MESSAGE, YOU SHOULD PROCEED WITH LIQUIDATION.
9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, THE TECHNICAL PROGRAMS DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT G. LEON MCNEILL AT (202) 482-4733 OF THE OFFICE OF ANTIDUMPING COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.
10. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party